

EXHIBIT C

REPORTER'S RECORD
VOLUME 1 OF 1 VOLUME
CAUSE NO. CC-22-03989-A

JANE DOES 1, 2, 3, 4, 5, 6,)	IN THE COUNTY COURT
7, 8, AND 9 AND)	
PARENT DOES 1, 2, 3, 4, AND 5)	
)	
Plaintiffs,)	
)	
VS.)	AT LAW NO. 1
)	
KAPPA ALPHA THETA FRATERNITY,)	
INC. AND BETA SIGMA CHAPTER)	
OF KAPPA ALPHA THETA)	
FRATERNITY, INC., AND BETA)	
SIGMA FACILITY CORPORATION)	
OF KAPPA ALPHA THETA)	
FRATERNITY, INC.,)	
)	
Defendants.)	DALLAS COUNTY, TEXAS

**PLAINTIFFS' ORIGINAL PETITION AND APPLICATION/MOTION FOR
TEMPORARY RESTRAINING ORDER AND INJUNCTIVE RELIEF**

On the 27th day of July, 2022, the following proceedings came on to be heard outside the presence of a jury in the above-entitled and -numbered cause before the Honorable D'METRIA BENSON, judge presiding, held in Dallas, Dallas County, Texas.

Proceedings reported by computerized stenotype machine. Reporter's Record produced by computer-aided transcription.

APPEARANCES (VIA ZOOM)

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-- AND --

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KAPPA ALPHA THETA FRATERNITY, INC.

-- AND --

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ATTORNEY FOR DEFENDANT

BETA SIGMA FACILITY CORPORATION OF

KAPPA ALPHA THETA FRATERNITY, INC.

ALSO PRESENT:

MS. NATALIE MCLAUGHLIN, attorney for Kappa Alpha Theta
Fraternity, Inc.

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1 We want to stop -- that includes the discipline. We
2 want to stop them from breaching any contracts or
3 altering any contracts or playing games by assigning
4 these housing contracts. And we want the Court to order
5 the facility corporation, Ms. Anderson's organization,
6 from not providing the residential housing that's there.
7 And we think that that is certainly maintaining status
8 quo for the next 14 days while we can get some limited
9 discovery to sort all this out.

10 That's not only in the interest of
11 justice, but that also is to avoid irreparable harm of
12 19 to 21-year-old students that are literally having the
13 rug pulled out from under them 27 days before they have
14 to start school and live on campus per SMU's
15 requirements.

16 THE COURT: All right. Who wants to be
17 the first to respond?

18 MS. ANDERSON: I can go briefly just on
19 behalf of the housing corporation, the facility
20 corporation, that controls the property where the Theta
21 House is located. We're an adverse party in this
22 situation; however, we are in line with the injunctive
23 relief sought. We are ready, willing, and able to
24 provide the housing that's available to SMU students,
25 including the girls who are members or rising sophomores

1 to fulfill their requirement as part of the SMU student
2 obligations and provide that through the service plan.
3 We have been in active communications with the SMU
4 students that are involved and have, you know,
5 essentially told them we're not able to confirm their
6 ability to live in a house until this investigation and
7 the decision from National has been decided.

8 And so, to the extent that the Beta Sigma
9 Facility Corporation is involved, we are in line with
10 the injunctive relief. And we are ready and capable of
11 providing the housing.

12 THE COURT: All right. Mr. Winford?

13 MR. WINFORD: Yes, Your Honor. Let me
14 speak to two points or two aspects of this, which is
15 both the membership, as well as the housing issue. To
16 directly address the housing issue, it is my
17 understanding -- and I can ask Ms. McLaughlin if the
18 Court will allow. But it's my understanding that as far
19 as the status quo, the status quo is that SMU has
20 suspended Kappa Alpha Beta Local Chapter at SMU. The
21 university has suspended it.

22 And under that arrangement between SMU and
23 Beta National, SMU does not -- will not allow students,
24 any student to live at the Theta House for the next two
25 years. I believe that was effective yesterday. And the

1 live at the house. So I think it is that direct in
2 answer to your question.

3 And then secondly, Judge --

4 THE COURT: Wait, wait. So I'm trying to
5 figure out how Paragraph 19 fits in. If Paragraph 19
6 comes into play, because the chapter has been
7 disestablished or ceases to be recognized, it allows the
8 Facility Corporation to continue to lease the premises
9 and to the students.

10 MS. ANDERSON: It may be helpful. So the
11 Facility Corporation owns the property but does have an
12 agreement with SMU to provide housing specific to SMU
13 students; first, to those who are in the Theta
14 organization. And if the people cannot fulfill the
15 requirement for whatever reason, then it goes to SMU
16 students. That's the underlying agreement between the
17 housing corp and SMU.

18 However, this case we are so close to the
19 date of starting school and we have -- some of these
20 girls have already signed these license agreements. So
21 on behalf of the housing corp, it is, you know, our
22 interest to simply honor these and let these girls move
23 in. And if it's -- you know, we have additional rooms
24 available, offer those to additional SMU students
25 perhaps, but at the very least, for the girls who signed

1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 I, Cathye Moreno, Official Court Reporter in
4 and for the County Court of Dallas County, Texas, County
5 Court at Law Number One, State of Texas, do hereby
6 certify that to the best of my ability the above and
7 foregoing contains a true and correct transcription of
8 all portions of evidence and proceedings requested in
9 writing to be included in the Reporter's Record, in the
10 above-styled and -numbered cause, all of which occurred
11 in open court or in chambers and were reported by me.

12 I further certify that this Reporter's Record
13 of the proceedings truly and correctly reflects the
14 exhibits, if any, admitted by the respective parties.

15 I further certify that the total cost for the
16 preparation of this Reporter's Record is \$472.50 and
17 will be paid by Rogge Dunn Group.

18 WITNESS MY OFFICIAL HAND this the 5th day of
19 August, 2022.

20
21 /s/ Cathye G. Moreno
22 Cathye G. Moreno, Texas CSR #6076
23 Expiration Date: 07/31/2023
24 Official Court Reporter
25 County Court at Law No. 1
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